

HOUSE BILL 3374  
By Shepard

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3 and Section 71-2-105, relative to obtaining prescription medicine for the elderly, low income and TennCare eligible Tennesseans.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 18, is amended by adding the Section 2 as a new, appropriately designated section.

SECTION 2.

(a) In addition to the powers, responsibilities, and duties granted to the department, the department shall initiate an outreach program to provide low income and TennCare eligible Tennesseans information and education relative to obtaining prescription drugs at a discounted cost, and obtaining prescription drugs through programs based upon an individual's income. Education and information shall include, but not be limited to the availability of:

(1) Prescription drugs through patient assistance programs offered by pharmaceutical manufacturers;

(2) Prescription drug coverage for individuals who are eligible for TennCare, veterans administration programs, and any other program that provides such coverage; and

(3) Prescription discount cards or information on how to access other programs that provide discounted prescription drugs to eligible participants.

(b) Minimally, such outreach shall include:

(1) Assistance in the implementation of a program to assist low income and TennCare eligible persons in processing the necessary documents in order to participate in the programs in subdivision (a)(1);

(2) A toll-free number staffed during business hours to provide information regarding the programs outlined in subdivision (a)(1);

(3) A website or referral to website links that provide information regarding the programs outlined in subdivision (a)(1); and

(4) Presentations to groups regarding the availability of the programs outlined in subdivision (a)(1).

(c) The department shall implement the outreach program within the department's available resources.

(d) The department may delegate any or all such responsibilities to a private or public contractor.

(5) The department is authorized to make application for grants to fund programs set out in subdivision (a)(1) above.

(e) The department may adopt rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to implement this subsection (a).

(f) The commissioner shall file a report with the senate commerce, labor and agriculture committee, and the house health and human resources committee by February 15, 2005, and annually thereafter by February 15. The report shall include, but not be limited to:

(1) The pharmacy assistance programs which were available;

(2) The outcome of each program by county and population served;

(3) Which agency, contractor, or personnel provided the services;

(4) The number and location of presentations made to groups; and

(5) The department's opinion as to the effectiveness of the program and any recommendations for revision, continuation, expansion, or termination of such outreach program.

SECTION 2. This act shall take effect July 1, 2004, the public welfare requiring it